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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/603,866

06/26/2003

Douglas W. Wang

MR1035-1264

1414

4586 7590 03/09/2007

ROSENBERG, KLEIN & LEE

3458 ELLICOTT CENTER DRIVE-SUITE 101

ELLICOTT CITY, MD 21043

EXAMINER

DUONG, OANH L

ART UNIT

PAPER NUMBER

2155

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

03/09/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/603,866

Applicant(s)

WANG ET AL.

Examiner

Oanh Duong

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 26 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

1. Claims 1-10 are presented for examination.

***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 1, the phrase "such as" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention.

See MPEP § 2173.05(d).

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-2 are rejected under 35 U.S.C. 102(e) as being anticipated by Janik et al. (hereafter, Janik-279), US 2002/0178279 A1.

Regarding claim 1, Janik-279 teaches an application specific Internet system comprising:

multiple application server programs residing in one or multiple specific application Internet servers (*i.e., content services from Internet servers, page 3 paragraph [0043]*); and

multiple application specific Internet devices being connected to specific application Internet servers for transmitting and receiving data, including music data, voice data and display data (*i.e., client devices 2-N, Fig. 1, page 3 paragraph 0043*).

Regarding claim 2, Janik-279 teaches the application server Internet system according to claim 1, wherein said application server program is an application program providing a single service, such as voice mail, telephony, news browsing, stock quotation and weather report, to application specific Internet device (page 3 paragraph [0036]).

5. Claims 3-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Janik, US 2005/0113946 A9

Regarding claim 3, Janik teaches an application specific Internet device (Fig. 4) comprising:

a network interface chip for providing a connection to at least one specific application Internet server (wireless LAN transceiver, Fig. 4);

a microprocessor being connected to said network interface chip for processing protocol interpreter and managing the operational flow control between each device (*microprocessor 10, page 4 paragraph [0057]*);

a display and control module being connected to said microprocessor for being controlled by said microprocessor to display message statuses (*i.e., "LCD 50 that is used to display data relevant to the audio content being played", page 4 paragraph [0054]*);

a program memory being connected to said microprocessor for storing firmware code (*i.e., programmable (flash) memory 18, page 4 paragraph [0057]*) ;

a data memory being connected to said microprocessor for temporarily storing music, voice and display data (*i.e., stream buffering, page 5 paragraph [0075]*);

a non-volatile memory connected to said microprocessor for storing music, voice, and display data no power circumstances (*i.e., cache digital content files in hard disk drive , page 7 paragraph [0101]*);

a audio input/output module connected said microprocessor for music playing, voice decoding and voice encoding (*i.e., CODECs, page 6 paragraphs [0086]-[0087]*);  
and

a power supply unit for providing each hardware components with required operational power (*i.e., a power regulation subsystem 30, page 4 paragraph [0057]*).

Regarding claim 4, Janik teaches the application specific Internet device according to claim 3, wherein said display and control module is selected from one

Art Unit: 2155

among a simple light emitting diode (LED), buttons, and a liquid crystal display (LCD), or a more complicated official or domestic Internet appliance. (LCD 50, Fig. 4 page 5 paragraph [0075]).

Regarding claim 5, Janik teaches the application specific Internet device according to claim 3, wherein said audio input/output module further comprises a MP3 decoder, voice encoder, voice decoder, a speaker, a headphone/earphone output, and a microphone (Fig. 4).

Regarding claim 6, Janik teaches the application specific Internet device according to claim 3, wherein said data memory is SRAM or DRAM (page 4 paragraph [0057]).

Regarding claim 7, Janik teaches the application specific Internet device according to claim 3, wherein said program memory and non-volatile memory are flash memory (page 4 paragraph [0057]).

Regarding claim 8, Janik teaches the application specific Internet device according to claim 3, wherein said power supply unit is exchanged by a battery set (page 4 paragraph [0055]).

Regarding claim 9, Janik teaches the application specific Internet device according to claim 3, wherein at least one system parameter and application parameters related to Internet messaging are inputted to said network interface chip through a client program or web browser inside said computer in the manner of local broadcasting even if said computer is shutdown (page 3 paragraph [0040]).

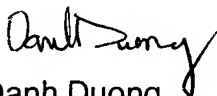
Regarding claim 10, the application specific Internet device according to claim 9, wherein said system parameter includes an Internet protocol (IP) address of general and particular applications (pages 6-7 paragraph [0095]).

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Oanh Duong whose telephone number is (571) 272-3983. The examiner can normally be reached on Monday- Friday, 9:30PM - 6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571) 272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2155

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Oanh Duong  
March 5, 2007